

LINDA SCHRECKINGER SADLER
Attorney At Law

RECEIVED & INSPECTED

JAN 28 2005

FCC - MAILROOM

25801 Richmond Road
Cleveland, OH 44146
Phone: 216-831-2626
Fax: 216-831-2822
lschrecks@yahoo.com

January 25, 2005

DOCKET FILE COPY ORIGINAL

Office of the Secretary
Federal Communications Commission
445 -12th Street, S.W., Rm TW-204B
Washington, D.C. 20554

RE: Appeal to the Federal Communications Commission
East Cleveland School District, Billed Entity No. 129478

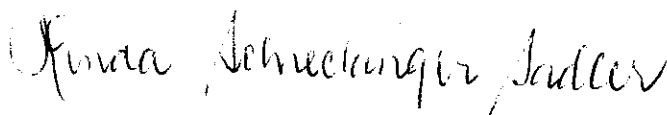
To Whom It May Concern:

Enclosed please find an appeal from a decision by the Schools and
Libraries Division of the USAC relative to the school district noted above.

Enclosed are an original and five copies of the Appeal and Request for
Expedited Relief. Please file the original and four of the copies and return
one time-stamped copy to me in the enclosed self addressed-stamped
envelope.

Please direct all communication regarding this appeal to my attention at
the address noted above. Thank you for your assistance in this matter.

Yours truly,



Linda Schreckinger Sadler

Encl.

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Before the
Federal Communications Commission
Washington, D.C. 20554

RECEIVED & INSPECTED
JAN 28 2005
FCC - MAILROOM

In the Matter of)	
)	
Appeal of Decision of the)	
)	File No. SLD -
Universal Service Administrator)	
)	
By)	
)	
East Cleveland School District)	
East Cleveland, Ohio)	
)	CC Docket No. 96-45
)	
Federal-State Joint Board on)	
Universal Service Changes to the)	CC Docket No. 97 - 21
Board of Directors of The National)	
Exchange Carrier Association, Inc.)	

Appeal
and
Request for Expedited Relief
on behalf of the
East Cleveland School District

TO: Federal Communications Commission
Office of the Secretary
445 - 12th Street, SW
Washington, DC 20554

Appeal From the Following Funding Commitment Decision Letters

(1)	Form 471 Application Number:	423380
	Funding Year 2004:	07/01/2004-06/30/2005
	Billed Entity Number:	129478
	FRN	1168568
	Date of Funding Denial Notice:	December 3, 2004

(2)	Form 471 Application Number:	423397
	Funding Year 2004:	07/01/2004-06/30/2005
	Billed Entity Number:	129478
	FRN	1168641
	Date of Funding Denial Notice:	December 3, 2004

SLD's Reason for Funding Denial

On Both Applications the SLD denied funding on the basis of "insufficient documentation."

Statement in Support of Appeal

This appeal relates to two funding commitment denials: (1) Form 471 Application No. 423380 (FRN 1168568) which was denied funding for having provided "insufficient documentation" as indicated in the Funding Commitment Decision Letter dated December 3, 2004 and (2) Form 471 Application No. 423397 (FRN 1168641) which was denied funding in the Funding Commitment Decision dated December 3, 2004 stating "the shared discount was corrected. Applicant has not provided sufficient documentation to determine the eligibility of this item."

1. Applicant provided sufficient documentation to support its request for services in Form 471 Application No. 423380 (FRN 1168568)

Applicant submitted all documentation that was requested by SLD personnel during the application and Program Integrity Assurance (PIA) processes. (See Exhibit "A"). A review of the record reveals that Applicant's Form 471 No. 423380 (Exhibit "B") contained all required information and attachments necessary to support its funding request for internal connections. On or about November 1, 2004 Applicant submitted the final documentation requested by the auditor during the PIA process and received no further requests for

additional information or documentation. The record of correspondence and communication between the SLD and East Cleveland supports East Cleveland's position that all requested documentation was timely provided to the SLD and was sufficiently detailed to support its requests for funding (See attached Exhibits A, B and C). The SLD committed reversal error when it denied funding on this application for the reason "Applicant has not provided sufficient documentation to determine the eligibility of this item."

The supporting documentation attached hereto as Exhibits A, B, and C substantiates the District's entitlement to the funding requested in its Form 471 (FRN 1168568).

Based on the 471 Application, the documentation attached thereto and the documentation provided during the PIA process, the SLD committed reversal error when it denied funding to East Cleveland School District on its Application for the reason that insufficient documentation was provided. ¹

2. Applicant provided sufficient documentation to support its request for services in Form 471 Application No. 423397 (FRN 1168641)

The Funding Commitment Decision dated December 3, 2004 denied funding for Form 471 Application No. 423397 (FRN 1168641) stating "the shared discount was corrected. Applicant has not provided sufficient documentation to determine the eligibility of this item."

A review of the record reveals that Applicant's Form 471 No. 423397 (FRN 1168641) (Exhibit "D") contained all required information and necessary attachments in support of its request for internal connections funding. Further, Applicant submitted all documentation requested by SLD personnel during the application and Program Integrity Assurance (PIA) processes. (See Exhibit "B"). On or about November 1, 2004 Applicant submitted the final documentation requested by the auditor during the PIA process and received no further

requests for additional information or documentation. The record of correspondence and communication between the SLD and East Cleveland supports East Cleveland's position that all requested documentation was timely provided to the SLD and was sufficiently detailed to support its requests for funding (See attached Exhibits B, C and D).

The record of correspondence also substantiates Applicant's entitlement to a 90% shared discount percentage (See Exhibit B). Applicant believes that the SLD modified the shared discount to accurately reflect the correct percentage contained in Applicant's 471 Application No. 423380, but reserves the right to assert its claim in this regard in the event the adjustment was an inaccurate reflection of the free and reduced data calculated in accordance with the FCC's Form 471 instructions.

Conclusion

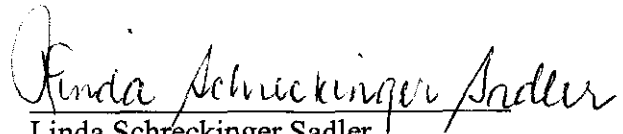
Since all requested information and documentation was provided to the SLD within prescribed time period(s), and the documentation fully supports East Cleveland's funding requests for internal connections, the SLD committed reversible error when it denied funding on Application No. 423380 (FRN 1168568) and Application No. 423397 (FRN 1168641) on the bases "Applicant has not provided sufficient documentation to determine the eligibility of this item."

¹ With the exception of the Affidavit marked Exhibit A, the documents attached to this Appeal were either provided to the SLD during the Program Integrity Assurance (PIA) process or available to the SLD through East Cleveland's filings with the SLD. The copies of the documents and records included herein are attached to facilitate and expedite the appeal process.

Applicant hereby requests:

1. That this matter be acted upon within 90 days or less of the filing date of this appeal;
2. That the FCC order funding for all FRN's set forth herein.
3. That funds be set aside to totally fund the District's request.

Respectfully submitted,

A handwritten signature in cursive script, reading "Linda Schreckinger Sadler".

Linda Schreckinger Sadler
Attorney at Law
Ohio Bar No. 0000827
25801 Richmond Road
Cleveland, OH 44146
Phone: 216-831-2626
Fax: 216-831-2811
Email: lschrecks@yahoo.com

Exhibit A

September 2, 2004

Mr. George Co
PIA Team 2
Schools and Libraries Division
Program Integrity Assurance
Phone: 973-428-7343
FAX: 973-599-6522

Dear Mr. Co:

This correspondence is in reference to the 90% discount for Caledonia School, 471 Application Number 423397.

The total number of students enrolled at Caledonia is **443**. This is the official enrollment for the first full week of October, 2003. This figure was taken from the Ohio Department of Education EMIS (Education Management Information System) report.

The total number of students eligible for the Free/Reduced Lunch Program at Caledonia School is **349**. This figure was taken from the Ohio Department of Education Office of Child Nutrition Services Lunch MR 81 Report for October, 2003.

These are the figures used in the district's 471 applications, substantiating a 90% discount.

Thank you for your attention to this matter.

Yours truly,

Joy Howard
Technology Director

September 2, 2004

Mr. George Co
PIA Team 2
Schools and Libraries Division
Program Integrity Assurance
Phone: 973-428-7343
FAX: 973-599-6522

Dear Mr. Co:

On the telephone last week, you indicated you needed more details regarding FRN 1168568. Can you please send this request in writing so I have an understanding of what it is you are seeking?

Thank you for your attention to this matter.

Yours truly,

Joy Howard
Technology Director



Universal Service Administrative Company
Schools & Libraries Division

September 10, 2004

Joy Howard
EAST CLEVELAND CITY SCH DIST
Telephone: (216) 2686570
Application Number – 423327

Dear Joy,

We are in the process of reviewing all Form 471 applications for schools and libraries discounts to ensure that they are in compliance with the rules of the federal universal service program. I am currently in the process of reviewing your Funding Year 2004/2005 Form 471 Application. To complete my review I need some additional information. The information needed to complete the Review is listed below.

- For FRN 1168370: your form 471 shows you are requesting funding for \$50,040 for one year. However, under the "Schedule 1 – Summary of Costs" page of the contract included in your item 21 attachments, the annual charge is shown to be \$40,860.

Please provide a written explanation to clarify this discrepancy.

Please fax or e-mail the requested information to my attention. If you have any questions please feel free to contact me.

It is important that we receive all of the information requested so PIA can complete its review. If we do not receive the information within seven calendar days (due no later than next September 20, 2004), your application will be reviewed using the information currently on file.

Thank you for your cooperation and continued support of the Universal Service Program.

Sincerely,

George Co
PIA Team 2
Schools And Libraries Division
Program Integrity Assurance
Phone : 973-428-7343
FAX : 973-599-6522
e-mail : gco@sl.universalservice.org

East Cleveland City Schools

Myrna Loy Corley

Joy S. Howard



Superintendent of Schools

Administrator Technology & Communications

September 14, 2004

Mr. George Co
PIA Team 2
Schools and Libraries Division
Program Integrity Assurance
Phone: 973-428-7343
FAX: 973-599-6522

Dear Mr. Co:

Here is the response to the question you asked in your email of 9/10/04.

QUESTION

For FRN 1168370: your form 471 shows you are requesting funding for \$50,040 for one year. However, under the "Schedule 1 - Summary of Costs" page of the contract included in your item 21 attachments, the annual charge is shown to be \$40,860.

Please provide a written explanation to clarify this discrepancy.

ANSWER

Attached is a replacement Item 21 attachment for FRN 1168370 that clarifies the requested amount of \$40, 860 by the district.

Yours truly,


Joy Howard

District Technology Administrator

15305 Terrace Road • East Cleveland, Ohio 44112 • (216) 268-6485 FAX: 268-6433
Email jhoward@east-cleveland.k12.oh.us



Universal Service Administrative Company
Schools & Libraries Division

October 19, 2004

Joy Howard
EAST CLEVELAND CITY SCH DIST
Telephone: (216) 2686570
Application Numbers – 423380, 423397

Dear Joy,

You were recently sent a written request for additional information needed by the Program Integrity Assurance (PIA) team to review your Form 471 Application to ensure that it is in compliance with the rules of the federal universal service program. We requested that the information be provided within seven calendar days. To date, none of the requested information has been received. The information needed to complete the review is listed below.

For Application Number 423380

1. For 471 Application 423380 FRN 1168568: please provide detailed vendor documentation (such as a detailed vendor quote or bill) to support your Internal Connections request for \$690,000. The vendor documentation should show brand, make and model of all equipment / software requested, quantities ordered and their allocated costs.

For Application Number 423397

2. For 471 Application 423397 FRN 1168641: please provide detailed vendor documentation (such as a detailed vendor quote or bill) to support your Internal Connections request for: *Parts Coverage Pricing*. The vendor documentation should show brand, make and model of all equipment / software requested, quantities ordered and their allocated costs.

Please fax or e-mail the requested information to my attention. If you have any questions please feel free to contact me.

It is important that we receive all of the information requested so the PIA team can complete its review. **Failure to do so may result in a reduction or denial of funding.**

You are being given an additional seven calendar days to respond. If we do not receive the requested information within seven calendar days, your application will be reviewed using the information currently on file. If you need additional time to prepare your response, please let me know as soon as possible.

A copy of this correspondence is being forwarded to your State E-Rate Coordinator for informational purposes only.

Thank you for your cooperation and continued support of the Universal Service Program.

Sincerely,

George Co
PIA Team 2
Schools And Libraries Division
Program Integrity Assurance
Phone : 973-428-7343
FAX : 973-599-6522
e-mail : gco@sl.universalservice.org

(letterhead)

October 25, 2004

Mr. George Co
PIA Team 2
Schools and Libraries Division
Program Integrity Assurance
Phone: 973-428-7343
FAX: 973-599-6522

Dear Mr. Co:

This correspondence is in reference adding three schools to 471 Application Number 423380 and 423397. The schools and details are as follows:

School	Entity #	Enrollment	Surveys/ applications sent	Surveys/ applications returned	# NSLP	Free and Reduced Students
W H KIRK MIDDLE SCHOOL (Urban)	47853	366	366		236	
SHAW HIGH SCHOOL (Urban)	47849	1277	1277		770	
CHAMBERS ELEMENTARY SCHOOL (Urban)	47848	647	647		330	

Entity Number:

Urban

Student Count: This is the official enrollment for the first full week of October, 2003. This figure was taken from the Ohio Department of Education EMIS (Education Management Information System) report.

NSLP Students: This figure was taken from the Ohio Department of Education Office of Child Nutrition Services Lunch MR 81 Report for October, 2003.

NSLP Students/Students: 64.480%

Discount: 90%

Entity Number: This is the official enrollment for the first full week of October, 2003. This figure was taken from the Ohio Department of Education EMIS (Education Management Information System) report.

NSLP Students: 770 This figure was taken from the Ohio Department of Education Office of Child Nutrition Services Lunch MR 81 Report for October, 2003.

NSLP Students/Students: 60.297%

Discount: 90%

Entity Number:

Urban

Student Count: 647 This is the official enrollment for the first full week of October, 2003. This figure was taken from the Ohio Department of Education EMIS (Education Management Information System) report.

NSLP Students: 330 This figure was taken from the Ohio Department of Education Office of Child Nutrition Services Lunch MR 81 Report for October, 2003.

Discount: 90%

Thank you for your attention to this matter.

Yours truly,

Joy Howard
Technology Director

East Cleveland City Schools

Myrna Loy Corley

Joy S. Howard



Superintendent of Schools

Administrator Technology & Communications

October 27, 2004

Mr. George Co
PIA Team 2
Schools and Libraries Division
Program Integrity Assurance
Phone: 973-428-7343
FAX: 973-599-6522

Dear Mr. Co:

This correspondence is in reference to 471 Application Number 423380 and 423397.

1. Please add three schools to 471 Application Number 423380 and 423397. The schools and details are as follows:

School	Entity #	Enrollment	Free & Reduced Students
W H KIRK MIDDLE SCHOOL (Urban)	47853	366	347
SHAW HIGH SCHOOL (Urban)	47849	1277	1238
CHAMBERS ELEMENTARY SCHOOL (Urban)	47848	647	608

2. For 471 Application 423380 FRN 1168568: please provide detailed vendor documentation (such as a detailed vendor quote or bill) to support your Internal Connections request for \$690,000. Please see attached document.

3. For 471 Application 423397 FRN 1168641: please provide detailed vendor documentation (such as a detailed vendor quote or bill) to support your Internal Connections request for: *Parts Coverage Pricing*. Please see attached document.

Thank you for your attention to this matter.

Yours truly,

A handwritten signature in black ink, appearing to read "Joy Howard".

Joy Howard
Technology Director

(East Cleveland Letterhead)

October 27, 2004

Mr. George Co
PIA Team 2
Schools and Libraries Division
Program Integrity Assurance
Phone: 973-428-7343
FAX: 973-599-6522

Dear Mr. Co:

This correspondence is in reference to 471 Application Number 423380 and 423397.

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School	Entity #	Enrollment	Free & Reduced Students
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CHAMBERS ELEMENTARY SCHOOL (Urban)	47848	647	608

2. For 471 Application 423380 FRN 1168568: please provide detailed vendor documentation (such as a detailed vendor quote or bill) to support your Internal Connections request for \$690,000. **Please see attached document.**

3. For 471 Application 423397 FRN 1168641: please provide detailed vendor documentation (such as a detailed vendor quote or bill) to support your Internal Connections request for: *Parts Coverage Pricing*. **Please see attached document.**

Thank you for your attention to this matter.

Yours truly,

Joy Howard
Technology Director

*prior announce w/ Coe
prep. chgs in discount to
firm 2 to go to the all
sbids - trust this, all
accepted*

(East Cleveland Letterhead)

October 27, 2004

Mr. George Co
PIA Team 2
Schools and Libraries Division
Program Integrity Assurance
Phone: 973-428-7343
FAX: 973-599-6522

Dear Mr. Co:

This correspondence is in reference to 471 Application Number 423380 and 423397.

1. Please add three schools to 471 Application Number 423380 and 423397. The schools and details are as follows:

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SHAW HIGH SCHOOL (Urban)	47849	1277	1238
CHAMBERS ELEMENTARY SCHOOL (Urban)	47848	647	608

2. For 471 Application 423380 FRN 1168568: please provide detailed vendor documentation (such as a detailed vendor quote or bill) to support your Internal Connections request for \$690,000. **Please see attached document.**

3. For 471 Application 423397 FRN 1168641: please provide detailed vendor documentation (such as a detailed vendor quote or bill) to support your Internal Connections request for: *Parts Coverage Pricing*. **Please see attached document.**

Thank you for your attention to this matter.

Yours truly,

Joy Howard
Technology Director

(District Letterhead)

September 14, 2004

Mr. George Co
PIA Team 2
Schools and Libraries Division
Program Integrity Assurance
Phone: 973-428-7343
FAX: 973-599-6522

Dear Mr. Co:

Here is the response to the question you asked in your email of 9/10/04.

QUESTION

For FRN 1168370: your form 471 shows you are requesting funding for \$50,040 for one year. However, under the "Schedule 1 -- Summary of Costs" page of the contract included in your item 21 attachments, the annual charge is shown to be \$40,860.

Please provide a written explanation to clarify this discrepancy.

ANSWER

Attached is a replacement Item 21 attachment for FRN 1168370 that clarifies the requested amount of \$40, 860 by the district.

Yours truly,

Joy Howard
Technology Director

Exhibit B

**Schools and Libraries Universal Service Program
Services Ordered and Certification Form 471
Application Display**

Block 1: Billed Entity Information

Applicant's Form Identifier:

ECCS_NETWORK_WIRELESS_Y7_471

471 Application Number: 423380**Cert. Postmark Date:** 02/04/2004**Out of Window Letter Date:** Not applicable**Funding Year:** 07/01/2004 - **Billed Entity Number:**
06/30/2005 129478**Form Status:** CERTIFIED - **RAL Date:** 03/09/2004
In Window**Name:** EAST CLEVELAND CITY SCH DIST**Address:** 15305 TERRACE RD**City:** EAST CLEVELAND **State:** OH **Zip:** 44112 2933**Contact Name:** JOY HOWARD**Address:** 15305 TERRACE RD**City:** EAST CLEVELAND **State:** OH **Zip:** 44112 2933**Type of Application:** SCHOOL DISTRICT**Ineligible Orgs:** N

Block 3: Impact of Services Ordered in THIS Application

Number of students to be served: 5096**Number of library patrons to be served:**

SERVICE DESCRIPTION	BEFORE ORDER	AFTER ORDER
b. High-bandwidth voice/data/video service: How many buildings served before and after your order?	12	12
c. High-bandwidth voice/data/video service: Highest speed to a building before and after your order?	full t-1	full t-1
d. Dial-up Internet connections: How many before and after your order?	1	1
e. Dial-up Internet connections: Highest speed before and after your order?	56kbps	56kbps
f. Direct connections to the Internet: How many before and after your order?	2	2
g. Direct connections to the Internet: Highest speed before and after your order?	1.544mbps	1.544mbps
h. Internet access(for schools): How many rooms have Internet access before and after your order?	500	500
i. Internet Access: How many computers (or other devices) with Internet access before and after your order?	2500	2500
k. Other technology outcomes: (please specify):	8ATM	8ATM

Block 4: Worksheets

Worksheet A No: 596375

Student Count: 2806

Weighted Product (Sum. Column 8): 2525.4

Shared Discount: 90%

1. School Name: CALEDONIA ELEMENTARY SCHOOL
 2. Entity Number: 47847 3. Rural/Urban: Urban
 4. Student Count: 443 5. NSLP Students: 349 6. NSLP Students/Students: 78.781%
 7. Discount: 90% 8. Weighted Product: 398.7

1. School Name: MAYFAIR ELEMENTARY SCHOOL
 2. Entity Number: 47852 3. Rural/Urban: Urban
 4. Student Count: 601 5. NSLP Students: 456 6. NSLP Students/Students: 75.873%
 7. Discount: 90% 8. Weighted Product: 540.9

1. School Name: PROSPECT ELEMENTARY SCHOOL
 2. Entity Number: 47850 3. Rural/Urban: Urban
 4. Student Count: 664 5. NSLP Students: 652 6. NSLP Students/Students: 98.192%
 7. Discount: 90% 8. Weighted Product: 597.6

1. School Name: ROZELLE ELEMENTARY SCHOOL
 2. Entity Number: 47854 3. Rural/Urban: Urban
 4. Student Count: 493 5. NSLP Students: 488 6. NSLP Students/Students: 98.985%
 7. Discount: 90% 8. Weighted Product: 443.7

1. School Name: SUPERIOR ELEMENTARY SCHOOL
 2. Entity Number: 47855 3. Rural/Urban: Urban
 4. Student Count: 605 5. NSLP Students: 592 6. NSLP Students/Students: 97.851%
 7. Discount: 90% 8. Weighted Product: 544.5

Block 5: Discount Funding Request(s)

FRN: 1168568 FCDL Date:	
11. Category of Service: Internal Connections	12. 470 Application Number: 283050000488706
13. SPIN: 143004905	14. Service Provider Name: Smart Solutions, Inc. (dba MicroAge)
15. Contract Number: n/a	16. Billing Account Number:
17. Allowable Contract Date: 01/21/2004	18. Contract Award Date: 01/26/2004
19a. Service Start Date: 07/01/2004	19b. Service End Date:
20. Contract Expiration Date: 06/30/2005	
21. Attachment #: 21-K	22. Block 4 Worksheet No.: 596375
23a. Monthly Charges: \$.00	23b. Ineligible monthly amt.: \$.00

23c. Eligible monthly amt.: \$0.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$0.00	
23f. Annual non-recurring (one-time) charges: \$690,000.00	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$690,000.00	
23i. Total program year pre-discount amount (23e + 23h): \$690,000.00	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request (23i x 23j): \$621,000.00	

Block 6: Certifications and Signature

24a. Schools: Y
 24b. Libraries or Library Consortia: N

 26a. Individual Technology Plan: N
 26b. Higher-Level Technology Plan(s): Y
 26c. No Technology Plan Needed:

 27a. Approved Technology Plan(s): Y
 27b. State Approved Technology Plan: N
 27c. No Technology Plan Needed:



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Exhibit C

COUNTY OF CUYAHOGA)
) ss. AFFIDAVIT
STATE OF OHIO)

Now comes JOY HOWARD, being first duly sworn deposes and states:

1. I am employed by the East Cleveland School District, located in East Cleveland, Ohio.
2. My duties included filing the district's eRate applications for Funding Year July 1, 2004- June 30, 2005.
3. I am the contact person for Form 471 Application Nos. 423380 (FRN 1168568) and 423397 (FRN 1168641).
4. In April 2004 I was notified that there would be a Program Integrity Assurance ("PIA") review of both applications.
5. On or about October 19, 2004 I received written request from Mr. Co (the auditor assigned to our review) allowing me seven (7) days to provide him with further information and/or documentation relative to both of our Applications.
6. I was unable to comply with the request by the October 26 deadline, so I called him requesting a 7-day extension, which he granted.
7. On November 1, 2004, prior to the expiration of the 7-day extension period, I faxed him a spreadsheet with the requested information/documentation.
8. On or about that same date, I called Mr. Co to confirm his receipt of said fax; I failed to reach him and left a message.
9. A day or so later, Mr. Co left me a voicemail indicating that the totals on the spreadsheet didn't match up correctly with the data contained on the spreadsheet.

10. The discrepancy Mr. Co referenced in his voicemail was actually a mathematical error on his part in which he incorrectly added the subtotal figures as part of the data.
11. I returned his call the same day I received his message. In our conversation, he confirmed receipt of the fax containing the requested documentation. I advised him that the data on the spreadsheet did in fact add up to the correct totals.
12. He told me that he was unable to recheck his math because he had already sent the applications to the "next level" for further processing.
13. The applications were sent to the next level before I could point out that he committed a mathematical error; that the totals on the spreadsheet matched perfectly to the numbers.
14. I always provided Mr. Co and prior auditors with all requested information and always did so in a timely manner.
15. At no time after receiving the requested information/documentation did Mr. Co, or any other auditor, request further information from our school district, yet funding was denied on both Applications because of "insufficient documentation."
16. In a letter to Mr. Co dated September 2, 2004, relative to Application No. 423397 (FRN 1168641) a copy of which is attached hereto as Exhibit "1", I requested correction of the discount rate to 90% for all 8 buildings.
17. The Funding Commitment Letter dated December 3, 2004 relative to Application No. 423397 indicates that "the shared discount was corrected."

18. I believe and rely on the SLD to have modified its prior findings and corrected all records to reflect the change of all eight (8) buildings to the proper discount rate of 90%.
19. After I faxed the spreadsheet to Mr. Co, neither he, nor any person from the SLD, requested further information or documentation from our District.
20. Since all requested documentation was provided within the allotted time period(s) and all information contained therein was accurate and supported the applications, the Funding Commitment Letters incorrectly denied funding of both applications.

FURTHER AFFIANT SAYETH NAUGHT.


JOY HOWARD

SWORN TO BEFORE ME and subscribed in my presence by Joy Howard this

14TH day of January 2005.


NOTARY PUBLIC

NOTARY PUBLIC
STATE OF OHIO
Section 147.03

LINDA SCHRECKINGER, Attorney
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date.
Section 147.03 R. C.

Exhibit D

Schools and Libraries Universal Service Program

Services Ordered and Certification Form 471

Application Display

Block 1: Billed Entity Information

Applicant's Form Identifier:

ECCS_NETMAINT_Y7_471

471 Application Number: 423397

Funding Year: 07/01/2004 -
06/30/2005

Billed Entity Number:
129478

Cert. Postmark Date: 02/04/2004

Form Status: CERTIFIED - In
Window

RAL Date: 03/09/2004

Out of Window Letter Date: Not applicable

Name: EAST CLEVELAND CITY SCH DIST

Address: 15305 TERRACE RD

City: EAST CLEVELAND **State:** OH **Zip:** 44112 2933

Contact Name: JOY HOWARD

Address: 15305 TERRACE RD

City: EAST CLEVELAND **State:** OH **Zip:** 44112 2933

Type of Application: SCHOOL DISTRICT

Ineligible Orgs: N

Block 3: Impact of Services Ordered in THIS Application

Number of students to be served: 5096

Number of library patrons to be served:

SERVICE DESCRIPTION	BEFORE ORDER	AFTER ORDER
b. High-bandwidth voice/data/video service: How many buildings served before and after your order?	12	12
c. High-bandwidth voice/data/video service: Highest speed to a building before and after your order?	full t-1	full t-1
d. Dial-up Internet connections: How many before and after your order?	1	1
e. Dial-up Internet connections: Highest speed before and after your order?	56kbps	56kbps
f. Direct connections to the Internet: How many before and after your order?	2	2
g. Direct connections to the Internet: Highest speed before and after your order?	1.544mbps	1.544mbps
h. Internet access(for schools): How many rooms have Internet access before and after your order?	500	500
i. Internet Access: How many computers (or other devices) with Internet access before and after your order?	2500	2500
k. Other technology outcomes: (please specify):	8ATM	8ATM

Block 4: Worksheets

Worksheet A No: 596403 Student Count: 2806

Weighted Product (Sum. Column 8): 2525.4

Shared Discount: 90%

1. School Name: CALEDONIA ELEMENTARY SCHOOL
 2. Entity Number: 47847 3. Rural/Urban: Urban
 4. Student Count: 443 5. NSLP Students: 349 6. NSLP Students/Students: 78.781%
 7. Discount: 90% 8. Weighted Product: 398.7

1. School Name: MAYFAIR ELEMENTARY SCHOOL
 2. Entity Number: 47852 3. Rural/Urban: Urban
 4. Student Count: 601 5. NSLP Students: 456 6. NSLP Students/Students: 75.873%
 7. Discount: 90% 8. Weighted Product: 540.9

1. School Name: PROSPECT ELEMENTARY SCHOOL
 2. Entity Number: 47850 3. Rural/Urban: Urban
 4. Student Count: 664 5. NSLP Students: 652 6. NSLP Students/Students: 98.192%
 7. Discount: 90% 8. Weighted Product: 597.6

1. School Name: ROZELLE ELEMENTARY SCHOOL
 2. Entity Number: 47854 3. Rural/Urban: Urban
 4. Student Count: 493 5. NSLP Students: 488 6. NSLP Students/Students: 98.985%
 7. Discount: 90% 8. Weighted Product: 443.7

1. School Name: SUPERIOR ELEMENTARY SCHOOL
 2. Entity Number: 47855 3. Rural/Urban: Urban
 4. Student Count: 605 5. NSLP Students: 592 6. NSLP Students/Students: 97.851%
 7. Discount: 90% 8. Weighted Product: 544.5

Block 5: Discount Funding Request(s)

FRN: 1168641 FCDL Date:	
11. Category of Service: Internal Connections	12. 470 Application Number: 911150000488703
13. SPIN: 143004905	14. Service Provider Name: Smart Solutions, Inc. (dba MicroAge)
15. Contract Number: n/a	16. Billing Account Number:
17. Allowable Contract Date: 01/21/2004	18. Contract Award Date: 01/26/2004
19a. Service Start Date: 07/01/2004	19b. Service End Date:
20. Contract Expiration Date: 06/30/2005	
21. Attachment #: 21-L	22. Block 4 Worksheet No.: 596403
23a. Monthly Charges: \$.00	23b. Ineligible monthly amt.: \$.00

23c. Eligible monthly amt.: \$0.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$0.00	
23f. Annual non-recurring (one-time) charges: \$499,400.00	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$499,400.00	
23i. Total program year pre-discount amount (23e + 23h): \$499,400.00	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request (23i x 23j): \$449,460.00	

Block 6: Certifications and Signature

24a. Schools: Y
 24b. Libraries or Library Consortia: N

 26a. Individual Technology Plan: N
 26b. Higher-Level Technology Plan(s): Y
 26c. No Technology Plan Needed:

 27a. Approved Technology Plan(s): Y
 27b. State Approved Technology Plan: N
 27c. No Technology Plan Needed:



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